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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1585/2024**
VIVEK

.....Petitioner
Through: Mr. Pramod Kumar, Advocate.

versus

STATE NCT OF DELHI AND ANR

.....Respondent
Through: Ms. Richa Dhawan, Ld. APP for the
State with SI Gajender Singh P.S.
Model Town.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
13.08.2024

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1. An Application under Section 439 Cr.P.C read with Section 482 Cr.P.C has been filed on behalf of the petitioner for grant of regular bail in FIR No.546/2023 under Section 307/341/34 IPC Police Station Model Town.

2. Briefly stated, the injured is a third year student of Hindu College who alongwith his friend, had gone to GTB Metro Station by E-rickshaw at about 10:30 A.M. They reached Janta Provision Store, near New Gupta Colony, where one vegetable vendor was standing with his rehri in the middle of the road. They requested him to move aside, which he denied and arguments took place between them. The vegetable vendor called his mates on phone and three of his mates who are the co-accused persons, came on a



black colour Bullet Motorcycle bearing registration No.DL8SDD6886 and asked the vegetable vendor to attack on them. Two of them started attacking the complainant/injured and one of the vegetable vendor pulled out a big knife and started attacking the complainant which resulted in multiple injuries on his forehead, back, back of neck and nose. It was claimed that the injuries had been inflicted with an intent to kill the complainant, who also suffered fracture of his nose. The complainant's friends also sought help from public persons present who surrounded them but all the assailants ran away on the Motorcycle. The injured was thereafter was shifted to Pentamed Hospital.

3. It is submitted in the bail Application that the accused is in Judicial Custody since 20.09.2023. The statement of the complainant has already been recorded. It is further submitted that he had not inflicted the stab injuries which had been caused by CCL, who has been facing trial separately. According to learned counsel for the petitioner, he has been acquitted after the trial.

4. It is submitted that his earlier Bail Application filed before the learned Sessions Judge, has been dismissed and his first Regular Bail Application before this Court was withdrawn on 20.12.2023. It is submitted that he is a law abiding citizen having no criminal antecedents and earning his livelihood by selling vegetables. He has a good reputation in the Society. He is a married man and has a family to support. He undertakes to be bound by any terms that may be imposed upon him and has thus sought regular bail.

5. The bail Application is opposed by the State who in the Status Report have asserted that CCL had inflicted as many as eight stab injuries.



Furthermore, the CCL is the one who had called the petitioner, who all came to the spot and injuries were inflicted on the person of the complainant. The cross-examination of the complainant is yet to be completed and thereafter, there are 2-3 other public witnesses who have to be examined. Considering the gravity of the offence and the aforesaid circumstances, the bail is opposed.

6. **Submissions heard.**

7. There are serious stab injuries inflicted by the co-accused, who is the younger brother/CCL. Looking at the gravity of the offence and also that the cross-examination of the complainant and examination of other public witnesses is yet to be done, the bail Application is hereby dismissed.

NEENA BANSAL KRISHNA, J

AUGUST 13, 2024/va